

REMARKS

The Office Action of June 2, 2006, has been reviewed and the Examiner's comments carefully considered. The amendments to the claims are supported in the original claims and in the specification, see for example page 3. No new matter has been added and Applicants submit that these amendments place all of the claims in condition for allowance.

The cancellation of claim 1 is believed to address the examiners stated rejections of claim 1-20 under 35 U.S.C. 112 first paragraph.

The present amendment intends to bring the remaining method claim in conformance with the arguments presented in the Appeal Brief of record. Namely that the present claimed method is directed to a method of removing a metal, such as copper, overburden layer on a microelectronic substrate. In the method of the present invention the initial polishing step is terminated prior to removal of all of the metal overburden of the microelectronic substrate. The method of the present invention utilizes the second claimed slurry to remove the residual overburden.

As discussed in the applicant's appeal brief, the prior art does not teach or suggest such a method. The examiner is correct that previous functional limitations are met if the prior art could possibly be used to perform the claimed function in a PRODUCT claim. Further the examiner is thanked for indicating that the relevant arguments should be presented for the method claims (previously claims 24-29). The present amendment is believed to attend to this in the manner suggested by the examiner. The functional limitations (i.e. the method steps) of the present claimed method are not taught or suggested in the applied prior art, mainly for all the reasons already of record.

Withdrawn claim 21 has been amended to now be directed to the elected invention and the reinstatement of this claim, that is now directed to the elected invention, is respectfully requested.

Therefore, reconsideration and withdrawal of the rejection of the remaining claims in light of the amendment and the above cited remarks is respectfully requested.

Respectfully submitted,

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